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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/052,542	01/23/2002	Wen-Hsiu Kuo	MR2349-783	3249

4586 7590 06/30/2004

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EXAMINER

AMINZAY, SHAIMA Q

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 06/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/052,542

Applicant(s)

KUO, WEN-HSIU

Examiner

Shaima Q. Aminzay

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Claim Rejections - 35 USC § 112

Claim 1-6 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The specification or disclosure as originally filed does not teach or disclose the claim limitation "connected to the circuit board, the circuit board having a **pre-set data format associated with the at least one multimedia hotkey**".

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hinckley et al. U. S. Patent 2001/0,015,718 A1 (hereinafter '718)
3. Regarding claim 1, Hinckley discloses a mouse device with multimedia hotkeys (see Figures 4A-4C) described in last part of section of [0015], section [00135] and first part of Table 1, comprising: a mouse body 170 (Figures 4A and 4B); an input portion 170 and 174 (Figure 4A) for detecting movement of the mouse body (see, Figure 4B, trackball 190) and selecting computer functions by depressing the input portions as it is described in section [0098] (lines 11-12); a mouse motion tracking (Figure 4C, encoder 194, and 196; wheel 178 and encoder 203) mechanism for moving the mouse body ([0089] lines 1-15); a circuit board 200 for controlling operation of the mouse device (section [0098] lines 1-21); a periphery interface 182 for transmitting data processed by the circuit board to a computer 20 (Figure 1) described in Figure-2 and section [0084] lines 1-4; the multimedia hotkey is mounted on the mouse (refer to section [0015] lines 4-7 and for example section [0092] lines 1-4);

Hinckley further teaches that the mouse with multimedia function as described above, can perform as hotkeys (see, section [0135], lines 4-6; Table 1, and Table 2; [0138], lines 1-14) by touching the sensitive buttons (smooth surface) on the mouse; as an example '718 describes in detail (see, sections [0075] lines 1- and [0079], and [008]) that by touching the mouse sensitive buttons, electrical signals are produce (section [0075], lines 1-11), these signals and the mouse trackball

movements are encoded and processed by the microcontroller (120, Figure 2, or Figure 4C, 200), the “microcontroller produces an output 124, which is provided to serial port interface” (section [0084], lines 1-4 and lines 7-12); further, ‘718 describes alternative shapes and functions for the multimedia mouse (for example see, sections [0087] lines 1-16, [0090] lines 1-13, [0091] lines 1-13, and [0092] lines 1-4).

Hinckley does not teach that the multimedia hotkeys are depressible, and they are sensor as opposed to being depressible key.

However, it is well known in the computer input device technology such as mouse that the touch-sensitive-button or mechanical push-button mouse can perform the same task when the major components and software functions of both input devices are the same.

It would have been obvious to one of ordinary skill in the art at the time invention was made to utilize Hinckley’s modification for the purpose of selecting the manner by which data is inputted, so that to be able to precisely locate each key on the mouse and therefore, provide accurate inputting of data, a versatile and user friendly device.

4. Regarding claim 2, Hinckley teaches in claim 1, above and further at least on general function key 176 (Figure 4A, section [0089], lines 8-10).

5. Regarding claim 3, Hinckley teaches in claim 1 above and further, teaches wheel 194 and 196 with axis (see for example, Figure 4C).
6. Regarding claim 4, Hinckley teaches in claim 1, above and further, teaches wheel ball 190 (Figure 4B) or optical lens and sensor, see for example see section [0007], lines 1-7.
7. Regarding claim 5, Hinckley teaches in claim 1 above and further, teaches the periphery interface (Figure 4A, and 4B, 182) is a serial type USB connector (see for example, section [0071] lines 10-16).
8. Regarding claim 6, Hinckley teaches in claim 1 above and further, teaches the periphery interface (Figure 4A, and 4B, 182) is a wired or wireless interface (see for example, section [0070] lines 12-13).

Response to Arguments

9. Applicant's arguments with respect to claim 1-6 have been considered but are moot in view of the new ground(s) of rejection. The new grounds of rejections are based on the amended features "pre-set data format associated with the at least one multimedia hotkey".

Conclusion

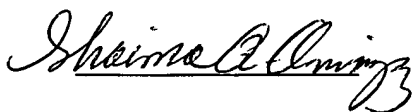
Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shaima Q. Aminzay whose telephone number is 703-305-8723. The examiner can normally be reached on 7:00 AM -5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2600's customer service telephone number is 703-305-3900.



Shaima Q. Aminzay
(Examiner)

June 19, 2004


NAY MAUNG
SUPERVISORY PATENT EXAMINER

Nay Maung
(SPE)

Art Unit 2684